

1520.03 Unit Clarification Procedures

Issued January 1, 1994

SUBJECT: Unit Clarification Procedures.

APPLICATION: Executive Branch Departments and Sub-units.

PURPOSE: To assure consistency and to avoid unnecessary delays when moving positions into or out of exclusively represented bargaining units.

CONTACT AGENCY: Department of Management and Budget (DMB) - Office of the State Employer (OSE).

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SUMMARY: This section specifies the procedure for moving specific positions either into or out of an exclusively represented bargaining unit.

APPLICABLE FORMS: None.

PROCEDURES:

Requesting Department:

- Identifies positions which are believed to be inappropriately designated as included or excluded (managerial, supervisory or confidential). These terms are defined in Section 6-2.1 of the Rules of the Civil Service Commission.
- Sends Position Description (CS-214) and other documents which support the proposed action to OSE.
 - To request excluding a position as confidential, forwards the CS-214 for the position(s) in question, as well as that of the position's supervisor.
 - To request an exclusion as managerial or supervisory, sends the CS-214 for the position(s) in question.
- Organizational charts reflecting the reporting relationship for the position(s) should be sent with any request.

OSE:

- Reviews documentation. Obtains clarification from the department if necessary.
- If documentation supports the requested action, meets with the exclusive representative to seek concurrence.
- If the exclusive representative agrees, authorizes the department to make class code and unit designation code changes and to notify the employee.
- If the exclusive representative does not agree, may appeal to a unit clarification hearing, in consultation with the affected department, under § 6-6.6 of the Employment Relations Policy.

Requesting Department:

- If the exclusive representative agrees with the request, sends a copy of the OSE authorization to Civil Service with a CS-129 for class code changes and unit designation code changes. If this involves a UAW represented position, sends a copy of the CS-129 to UAW, Local 6000.
- If exclusive representative does not agree, the position retains the original designation until a final determination is made per Employment Relations Policy, § 6-6.6.

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